

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

United States of America,)	C/A No.: 6:05-cr-1173-1
)	
v.)	
)	
Lajoel Rouse,)	ORDER
)	(Written Opinion)
Defendant.)	
_____)	

This matter comes before the Court on the defendant's motion to conform the court's written sentence to the court's oral sentence, filed March 13, 2008. For the reasons stated herein, this Court denies the defendant's motion.

Plaintiff brings this claim *pro se*. This Court is required to construe *pro se* pleadings liberally. Such pleadings are held to a less stringent standard than those drafted by attorneys. *See Gordon v. Leeke*, 574 F.2d 1147, 1151 (4th Cir. 1978). This Court is charged with liberally construing a pleading filed by a *pro se* litigant to allow for the development of a potentially meritorious claim. *See Boag v. MacDougall*, 454 U.S. 364, 365 (1982).

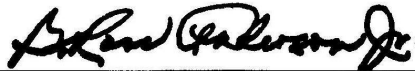
Defendant argues that this Court should, pursuant to Rule 36 of the Federal Rules of Criminal Procedure, correct the "clerical" error in the defendant's written judgment that requires his restitution to be paid in lump sum immediately because, at sentencing, this Court did not specifically order the defendant's restitution to be paid in lump sum immediately. Defendant states that the result of this clerical error is that half of the wages he earns in prison are being automatically deducted to pay his

restitution.

Defendant has failed to demonstrate that the Court's oral sentence does not comport with the Court's written sentence. At sentencing the Court stated: "the defendant shall further pay restitution in the amount of \$9,785 to the clerk of the U.S. District Court to be disbursed to the victim as outlined in the confidential addendum provided by the clerk of court." (Sent. Tr. at 15) The defendant has not demonstrated that the Court's written sentence does not comport with the "confidential addendum." Without any evidence thereof, this Court finds that the defendant has failed to demonstrate that the written judgment contains a clerical error. Therefore, this Court denies the defendant's motion.

IT IS THEREFORE SO ORDERED THAT THE defendant's motion be DENIED.

IT IS SO ORDERED.



G. ROSS ANDERSON, JR.
UNITED STATES DISTRICT JUDGE

May 6, 2008
Anderson, South Carolina

NOTICE OF RIGHT TO APPEAL

Pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure, Defendant has the right to appeal this Order within ten (10) days from the date of its entry. Failure to meet this deadline, as modified by Rule 4 of the Federal Rules of Appellate Procedure, **will waive the right to appeal.**